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MEMO ENDORSED

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April 8, 2024

Via ECF

Honorable Jessica G. L. Clarke
United States District Judge
Southern District of New York
500 Pearl Street, Room 1040
New York, New York 10007

Re: Victor Lopez v. Dublin 6 at Broadway, Inc. d/b/a Trinity Place, *et al.*
Case No.: 1:24-cv-00095 (JGLC) (BM)

Dear Judge Clarke:

This firm represents the defendants in the above-referenced matter (“Defendants”). On behalf of Defendants, we write to respectfully request, pursuant to Rule 2.e of Your Honor’s Individual Practice Rules, to adjourn the initial pretrial conference in this matter, currently scheduled for April 17, 2024, to an appropriate date after the settlement conference with Magistrate Judge Barbara Moses scheduled for May 6, 2024, and an extension of time to file the parties’ joint letter and proposed Civil Case Management Plan and Scheduling Order to a date one week prior to the adjourn date for the initial pretrial conference. Plaintiff’s counsel does not consent to this request. No prior requests for an adjournment of the initial pretrial conference have been made.

Pursuant to the Notice of Initial Pretrial Conference (ECF Doc. No. 6) (“Conference Notice”), the initial pretrial conference in this matter is scheduled for April 17, 2024 at 10:00am with the parties’ joint letter and proposed Civil Case Management Plan and Scheduling Order to be filed on or before April 10, 2024. The Conference Notice directs that a settlement conference be scheduled with the Magistrate Judge at least two weeks prior to the initial pretrial conference. The Conference Notice further states that the parties should request an adjournment of the initial pretrial conference in the event the Magistrate Judge is unavailable to hold a settlement conference before the initial pretrial conference. The parties were unable to schedule a settlement conference with Magistrate Judge Barbara Moses prior to two weeks before the initial pretrial conference. The settlement conference is scheduled for May 6, 2024. Accordingly, to allow for early settlement efforts as contemplated by the Conference Notice, the Defendants request an adjournment of the initial pretrial conference and extension of the parties’ deadline to submit their joint letter and

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proposed Civil Case Management Plan and Scheduling Order. Plaintiff does not consent to this request and indicates that they believe the conference should proceed.

An adjournment of the initial pretrial conference to a date at least two weeks after the settlement conference on May 6, 2024 would allow the parties to focus their energies on the initial settlement efforts contemplated by the Conference Notice to be completed in advance of the initial pretrial conference. Those settlement efforts are already underway. A settlement conference with the Magistrate Judge is scheduled for May 6 and the parties have agreed to an initial exchange of documents in advance of the settlement conference. Counsel are unavailable on May 20, 24, and 28 and respectfully request that the initial pretrial conference not be adjourned to those dates. No other deadlines have been set in this matter.

Thank you for your consideration of this request.

Respectfully submitted,

GORDON REES SCULLY MANSUKHANI, LLP

Eric Dawson

Eric Dawson, Esq.

Francis J. Giambalvo, Esq.

Cc: All Counsel of Record (via ECF)

The initial pretrial conference scheduled for April 17, 2024 is ADJOURNED to **May 23, 2024** at 4:00 p.m. via Microsoft Teams. The joint letter and proposed case management plan, *see* ECF No. 6, are due no later than **May 16, 2024**.

SO ORDERED.

Jessica Clarke

JESSICA G. L. CLARKE

United States District Judge

Dated: April 9, 2024

New York, New York